

the Beaumont/Port Arthur area with a cover letter from the Governor of Texas dated August 9, 1996.

[59 FR 55589, Nov. 8, 1994, as amended at 63 FR 6663, Feb. 10, 1998]

§ 52.2310 Conditional approval.

The State of Texas' March 14, 1996, submittal for an motor vehicle inspection and maintenance (I/M) program, is conditionally approved based on certain contingencies, for an interim period to last eighteen months. If the State of Texas fails to fully start its program by November 15, 1997, at the latest, this conditional approval will convert to a disapproval after EPA sends a letter to the State. If the State of Texas fails to satisfy the following conditions within 12 months of August 11, 1997, this conditional approval will automatically convert to a disapproval as explained under section 110(k) of the Clean Air Act. The conditions for approvability are as follows: Texas must obtain all of the legal authority needed to implement its program. The specific authority needed was outlined in EPA's proposed approval action and was identified in a February 27, 1996, Governor's Executive Order that was submitted as part of the Texas I/M SIP. The legal authority identified in the Executive Order includes: The denial of registration of vehicles that have not complied with I/M program requirements; the establishment of a class C misdemeanor penalty for operating a gross polluting vehicle in a nonattainment area; and the requirement for an inspection within 60 days of resale and prior to transfer of title to nonfamily member consumers in Dallas, Tarrant, or Harris counties (or regarding the third major condition, the removal of the test-on-resale program element from the SIP). Texas has committed to support additional needed legislation in Texas' 75th Legislative Session. Should Texas fail to fulfill these conditions by the end of the 75th Legislative Session, this approval will convert to a disapproval. Texas must also fully start its I/M program by November 15, 1997, or this action will convert to a disapproval.

[62 FR 37144, July 11, 1997]

§ 52.2311 Motor vehicle antitampering.

The State of Texas submitted revisions to the State Implementation Plan for 30 TAC Chapter 114, sections 114.1 "Maintenance and Operation of Air Pollution Control Systems or Devices Used to Control Emissions from Motor Vehicles" and 114.5 "Exclusions and Exceptions" on February 24, 1989, and September 6, 1990, and July 13, 1993. The EPA disapproved these revisions that relate to Statewide antitampering provisions and exemptions to antitampering provisions for motor vehicles or motor vehicle engine emission control systems because the State's antitampering rules are not consistent with the Act, section 203(a)(3) and EPA's tampering prohibitions as outlined in EPA's antitampering enforcement policy, Mobile Source Enforcement Memorandum No. 1A.

[63 FR 6653, Feb. 10, 1998]

Subpart TT—Utah

§ 52.2320 Identification of plan.

(a) Title of plan: "Utah Implementation Plan."

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Clarifications of the plan relating to particulate regulations, CO and NO₂ control strategies, new source review, emergency episodes, availability of emission data, and source surveillance submitted May 18, 1972, by State Division of Health.

(2) Revision of State new source review regulation, section 1.3.3 of the Utah Code of Air Conservation Regulations, submitted on September 13, 1972, by the Governor.

(3) Transportation control plan submitted April 13, 1973, by the Governor.

(4) Reenacted legislation providing for public availability of emission data submitted on June 13, 1974, by the State Division of Health.

(5) The Revised Utah Air Conservation Regulations on July 10, 1975, by the Governor.

(6) Provisions to meet the requirements of Part D and other sections of the Clean Air Act, as amended in 1977,